

Application No. 10/691,056
Art Unit 1774, Examiner Edwards
Docket No. CL-1453 US CIP
February 23, 2005
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Amendments

Please amend this application with respect to the matters set forth below concerning the Claims:

In the Claims:

Please (a) rewrite Claims 1 and 3; and (b) cancel Claims 5-14 without prejudice to or disclaimer of the subject matter thereof.

The requested amendments to Claims 1 and 3 are shown below in the attached **Appendix A** (pages 6-10) in a marked-up version of those claims, as required by 37 CFR §1.121(c). Deletions are shown by strike-through, and additions are shown by underlining. A complete listing of all other claims indicating the status thereof is also shown in **Appendix A**.

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Remarks: General

The claims have been amended by rewriting Claims 1 and 3, and canceling Claims 5~14 without prejudice to or disclaimer of the subject matter thereof. No new matter is added by these amendments.

The amendments to Claims 1 and 3 are not related to patentability inasmuch as they do not narrow the literal scope thereof, and are made solely for the purpose of providing greater clarity of expression or improving syntax and grammar.

A supplemental Information Disclosure Statement ("IDS") pursuant to 37 CFR §1.98 is enclosed, for which the fee stated in §1.17(p) is due by reason of §1.97(c)(2). Please charge this fee to Deposit Account No. 04-1928 (E.I. du Pont de Nemours and Company).

A petition under 37 CFR §1.136 for a three-month extension of time to respond the Examiner's action is enclosed, the fee for which should be charged to Deposit Account No. 04-1928. Inasmuch as February 27, 2005 was a Sunday, this response is being filed on Monday, February 28, 2005.

By Applicant's calculation, no fees are due by reason of this amendment to the claims. If any fee other than or in addition to those mentioned specifically above is required to authorize or obtain consideration of this response and the enclosed IDS, please charge such fee to Deposit Account No. 04-1928.

Claims 1~4 and 15~25 are now active in the application. Applicant hereby requests reconsideration and further examination of the application in view of the reasons it has set forth below for allowance of the claims.

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Remarks: Detailed Action

I.

Applicant affirms the election of Group I (Claims 1~4), has cancelled Claims 5~14, and has amended Claims 15~25 to make them dependent on only Claim 1.

II.

The Examiner has rejected Claims 1~4 under 35 U.S.C. §112 as being indefinite in view of the use of the term "fiber". As Applicant has deleted the term "fiber" from the preamble of Claim 1 in the manner proposed by the Examiner, Applicant respectfully requests that the Examiner withdraw the rejection of Claims 1~4 under 35 U.S.C. §112.

III.

The Examiner has rejected Claims 1~4 under 35 U.S.C. §112 as being indefinite in view of the use of the term "different materials". As Applicant has amended Claims 1 and 3 to state that the materials that are "different" are those that are different from the materials from which the discontinuous filaments are comprised, Applicant respectfully requests that the Examiner withdraw the rejection of Claims 1~4 under 35 U.S.C. §112.

IV.

The Examiner has rejected Claims 1~4 under 35 U.S.C. §102 as being anticipated by US 4,080,778 ("Adams").

Although Adams does disclose the use of blends of different materials from which a yarn is made, Adams does not disclose that continuous filaments may be used as a component of the yarn. All of the filaments that are used as components from which the yarn of Adams is made are subjected to stretch breaking. There are thus not present in the yarn of Adams continuous filaments, i.e. those that are not stretch broken, as is required by Claim 1.

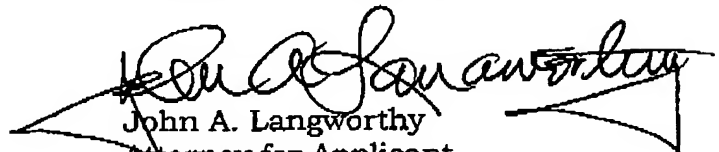
In view of the distinction between the subject matter of Claims 1~4 and Adams as discussed above, Applicant respectfully

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requests that the Examiner withdraw the rejection of those claims under 35 U.S.C. §102.

In view of the foregoing, Applicant submits that all of the Examiner's objections and rejections have been properly traversed, and that the pending claims are in condition for allowance, request for which is hereby respectfully made.

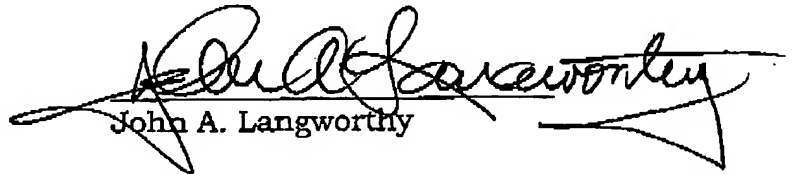
Respectfully submitted,



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I hereby certify that this correspondence is being facsimile transmitted to the U.S. Patent and Trademark Office on February 28, 2005.

Date: February 28, 2005



John A. Langworthy